

Sycamore Trails Group LLC - (1) Application for Waiver to Sec. B.9.2. of the Subdivision Regulations and (2) Application for Re-subdivision ("Savannah Hills") in the RA-80 Zone - 193-207 Great Plain Rd. (#105099) - SUB #06-09. Approved by Court Stipulation in November 2008.

Chairman Finaldi said they had received a draft resolution on this. Mrs. Emminger said the Court settlement stipulations were still in place and there was no change to the number of lots. This proposal will allow relocation of the proposed roadway and revisions to the open space areas. The applicant was able to propose these changes because he purchased the adjoining property at 209 Great Plain Rd. and was able to use some of that acreage to improve certain design aspects of the subdivision. Earlier in tonight's meeting, the Commission approved a lot line revision between the new lot (209 Great Plain Rd.) and the properties contained in the approved subdivision. This also resulted in the need for a waiver to the Section of the Subdivision Regs. that requires a 200 ft. separation distance between the new road and the existing roadways. These revisions were approved by EIC on November 28, 2012. Mrs. Emminger suggested they make one motion to approve the re-subdivision and the waiver to the Subdivision Regulations. Mr. Urice then made a motion to approve both of these for the following reasons: the relocation of the proposed road along with the extensive grading and horizontal and vertical realignment of Great Plain Rd. will improve the sight lines and the waiver to this section of the Subdivision Regulations will create a safer roadway condition with no negative impact to the neighborhood. Mr. Cerminara seconded the motion and it was passed unanimously.

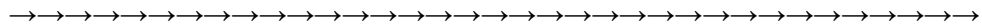
Waterbury CT Teachers Federal Credit Union --Application for Floodplain Permit – 108 Federal Rd. (#L09016) – Revised SP#84-22.

Mrs. Emminger reviewed the draft resolution. She said this was previously located on Hayestown Rd. next to Mykonos Restaurant. They are moving to Federal Rd. in front of the former Borders, where there was a bank for many years. A revised Site Plan has been approved for the reconfiguration of the parking and other site improvements. The site work within the floodplain includes removal of approximately 2,000 sq. ft. of paved area, replacing drainage structures and installing driveway aprons, curbing and a sidewalk. The finished floor elevation of the existing structure is 286.88 ft., approximately .12 inches below the base flood elevation. Although renovations are proposed to the building, the scope of work does not require the owner to raise the finished floor to 287 ft. There is no activity proposed below the base flood elevation and no filling proposed within the 100-year floodplain. The removal of the paved area results in a net cut of 18 cubic yards. The Engineering Dept. has reviewed and approved the proposed grading and drainage improvements. Mr. Keller made a motion to approve this per the resolution. Mr. Cerminara seconded the motion and it was passed unanimously.

REFERRALS

8-24 Referral/November 2012 City Council Agenda Item #2: Transfer of roadway & easement for Peterson's Farm Subdivision.

The roadway is Peterson's Lane which is located off of Louis Allen Drive, within approved Subdivision #03-02. The Commission previously considered this and issued a positive recommendation in 2009. The recommendation was subject to completion of the outstanding construction items and submission of all final plans and documents required for dedication/conveyance in form and content acceptable to the Engineering Department and the Office of Corporation Counsel prior to recording on the Danbury Land Records. Mr. Urice said they had already given a positive recommendation on this in 2009 but it expired. He then made a motion to give this a positive recommendation again with the same conditions. Mr. Keller seconded the motion and it was passed unanimously.

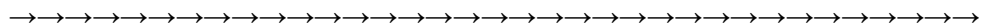


8-24 Referral/November 2012 City Council Agenda Item #3: Conveyance of land & sidewalk easements for Danbury Hospital

This is for a road conveyance and two sidewalk easements associated with the ongoing construction at Danbury Hospital. The conveyance and sidewalk easements affect land on Hospital Ave. The final roadway improvements were not determined when the site plan was approved, so the approval resolution required that the Director of Public Works and the City Traffic Engineer be satisfied with the final details. At this point in the construction, the road and sidewalk improvements have been done. This has resulted in a small portion of road that needs to be conveyed to the City as a public right-of-way and the remaining area containing the sidewalk that also requires an easement with rights to pass and repass for the public.

It is noted in the Staff Report that there are no issues with the acceptance of the roadway widening parcel acceptance and the sidewalk easements subject to the standard conditions. The conveyance of a portion of the road renders the existing building non-conforming with respect to the front yard setback. This means a variance to the Zoning Regulations will be required so the report suggests the Council table this portion of the request until that is addressed.

Mr. Urice said Mrs. Calitro's the report is very thorough. He then made a motion to give the road widening parcel and sidewalk easements a positive referral subject to submission of all plans and documents in form and content acceptable to the Engineering Department and Office of Corporation Council prior to recording. Mr. Ferguson seconded the motion and it was passed unanimously. The Commission pointed out that since a zoning variance is required before the roadway can be conveyed, that portion of this request should be tabled. .



8-24 Referral/November 2012 City Council Agenda Item #4: Proposed Acquisition of Parcel off of Old Post Rd.

Mrs. Emminger said this is a seven-plus acre parcel in the RA-80 Zone that is adjacent to the Ives Trail. It has been the subject of litigation between the EIC and the current property owner. Acquisition of this parcel will be beneficial to the City's open space inventory and will enhance the Ives Trail. Mrs. Emminger showed them a map of the property. Mr. Urice made a motion to give this a positive recommendation

Mr. Ferguson asked why Mr. Elpern suggested the deletion of the phrase "or beverage" Mrs. Emminger suggested that possibly he considered it redundant as it is

included in the first line of the definition. Mr. Keller pointed out that the definition does say that the sale of beverages is incidental to the sale of ice cream/frozen yogurt. Mr. Cerminara made a motion to give this a positive recommendation because this use is different from fast food or sit down restaurants. Mr. Urice seconded the motion and it was passed unanimously.

NEW BUSINESS

8-3a Referral – Petition of First-Cut Holdings, LLC, Sawmill & Turner Rds. (Portion of #A17001) for Change of Zone from IL-40 to RMF-6. *Public hearing scheduled for January 8, 2013.*

Chairman Finaldi said this would be discussed at the next meeting after they have received a Staff Report on the proposal.

Chairman Finaldi said that the regular meeting schedule for 2013 was listed under Correspondence and all of the members should have received a copy. He added that there was one application for Floodplain Permit listed under For Reference Only.

At 8:45 PM, Mr. Keller made a motion to adjourn. Mr. Ferguson seconded the motion and it was passed unanimously.